

DEPARTMENT OF THE ARMY

NOTE.—It is to be understood that this instrument does not give any property rights either in real estate or material, or any exclusive privileges; and that it does not authorize any injury to private property or invasion of private rights, or any infringement of Federal, State, or local laws or regulations, nor does it obviate the necessity of obtaining State assent to the work authorized. (See *Cummings v. Chicago*, 188 U.S. 410.)

PERMIT

U.S. ARMY ENGINEER DISTRICT, BALTIMORE,
CORPS OF ENGINEERS,
Baltimore, Md., May 29, 1968.

NABOP-P (Hoffman, Howard P. Asso., Inc.)¹
HOWARD P. HOFFMAN ASSOCIATES, INC.,
New York, N.Y.:

Referring to written request dated October 9, 1963, and to a subsequent revised request dated April 30, 1968, over signature of Edward S. Holland, Holland Engineering, I have to inform you that, upon the recommendation of the Chief of Engineers, and under the provisions of section 10 of the act of Congress approved March 3, 1899, entitled "An act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes", you are hereby authorized by the Secretary of the Army, to construct a bulkhead and to fill in Hunting Creek at a point on the northwest shore at Alexandria, Va., in accordance with the plans shown on the drawing attached hereto titled:¹ "Proposed Bulkhead and fill in Hunting Creek near Jones Point and Mount Vernon Parkway—City of Alexandria, State of Virginia—Application by: Howard P. Hoffman Associates, Inc.—(Contract—Owner)—Date October 9, 1963—Revisions: Additional Datum—March 11, 1964—Rev. Bulkhead and add channel July 6, 1964—Rev. limits of fill—July 15, 1964—Rev. Bulkhead April 30, 1968, Job No. VA 6-151-2 and 3," subject to the following conditions:

(a) That the work shall be subject to the supervision and approval of the district engineer, Corps of Engineers, in charge of the locality, who may temporarily suspend the work at any time, if in his judgment the interests of navigation so require.

(b) That any material dredged in the prosecution of the work herein authorized shall be removed evenly and no large refuse piles, ridges across the bed of the waterway, or deep holes that may have a tendency to cause injury to navigable channels or to the banks of the waterway shall be left. If any pipe, wire, or cable hereby authorized is laid in a trench, the formation of permanent ridges across the bed of the waterway shall be avoided and the back filling shall be so done as not to increase the cost of future dredging for navigation. Any material to be deposited or dumped under this authorization, either in the waterway or on shore above high-water mark, shall be deposited or dumped at the locality shown on the drawing hereto attached, and, if so prescribed thereon, within or behind a good and substantial bulkhead or bulkheads, such as will prevent escape of the material in the waterway. If the material is to be deposited in the harbor of New York, or in its adjacent or tributary waters, or in Long Island Sound, a permit therefor must be previously obtained from the supervisor of New York Harbor, New York City.

(c) That there shall be no unreasonable interference with navigation by the work herein authorized.

(d) That if inspections or any other operations by the United States are necessary in the interest of navigation, all expenses connected therewith shall be borne by the permittee.

(e) That no attempt shall be made by the permittee or the owner to forbid the full and free use by the public of all navigable waters at or adjacent to the work or structure.

(f) That if future operations by the United States require an alteration in the position of the structure or work herein authorized, or if, in the opinion of the Secretary of the Army, it shall cause unreasonable obstruction to the free navigation of said water, the owner will be required upon due notice from the

¹The drawing referred to is identical to the map attached to the Holland Engineering letter dated Apr. 30, 1968, and is not reproduced here.